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February 24, 2022

**Via ECF and E-Mail**

Hon. Andrew L. Carter  
United States District Judge  
Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, New York 10007

**Re: *United States v. Barend Oberholzer, 1:21-cr-00475-ALC*  
Defendant Oberholzer's Request for Adjournment of Status  
Conference**

Dear Judge Carter:

As the Court may have seen, we entered a formal appearance today to serve as counsel for defendant Barry Oberholzer. I write to respectfully request an adjournment of the status conference currently scheduled for March 1, 2022 at 3:00 p.m. due to a pre-existing conflict. There have been no prior requests concerning the status conference currently scheduled for March 1st.

We contacted counsel for co-defendant Jeremy Pattario, who consents to the request. We have also received consent from outgoing counsel for Mr. Oberholzer. Collectively, Defendants and their counsel are available on the mornings of Tuesday, March 8 and Wednesday, March 9. We also sought consent by email from AUSA Jilan Kamal, but received an out of office message. By the time of this filing, we have not yet received consent to the adjournment request from the Government.

We anticipate that, in the interim, Mr. Oberholzer's previous counsel, Mr. Lichtman and Mr. Einhorn, will transfer the discovery provided by the Government. Lastly, counsel for Defendants' consent to the exclusion of time under the Speedy Trial Act between March 1, 2022 and the date Your Honor sets for the rescheduled conference to allow counsel to review discovery and consider any appropriate motion practice.

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We thank the Court for its consideration.

Respectfully submitted,



Ryan P. Poscabello, Esq.

The application is **GRANTED**. The telephone status conference is adjourned to 3/8/22 at 11 a.m. Time excluded from 3/1/22 to 3/8/22 in the interest of justice.  
So Ordered.



2/25/22